



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,937	05/05/2000	ALEKSANDR FYEDOROVICH LUKIN	VISP-2	6347

7590 11/20/2002

J HAROLD NISSEN  
LACHENBACK SIEGEL MARZULLO ARONSON & GREENSPAN  
ONE CHASE ROAD  
PENTHOUSE SUITE  
SCARSDALE, NY 10583

EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

94

## Office Action Summary

Application No.

09/530,937

Applicant(s)

LUKIN, ALEKSANDR  
FYEDOROVICH

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/27/2002 (paper no. 27) has been entered.

### ***Response to Amendment***

2. This Office action is in response to amendment filed 8/27/2002 (paper no. 11).

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-4 and 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2643

Regarding claim 1, the term "the system" in line 3 renders the claim vague and indefinite because it is unclear whether "the system" is referring to a telephone network or other system.

Claims 2-4 are also rejected because of depending on claim 1 containing the same deficiency.

Regarding claim 9, the term "the system" in line 3 renders the claim vague and indefinite because it is unclear whether "the system" is referring to a telephone network or other system.

Claims 10-12 are also rejected because of depending on claim 1 containing the same deficiency.

#### ***Claim Objections***

5. Claim objected to because of the following informalities: claim 1, line 13, "local network" should be --local computer network--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frantz (US PAT. 6,167,043) in view of the prior art admitted by applicant (RU PAT. 2,105,425 hereinafter Skigin et al.).

Art Unit: 2643

Regarding claim 1, Frantz discloses a telephone network for a structured site as shown in figure 1 comprising a local computer network connecting computer at the transmitting and receiving ends and connecting telephone sets to provide telephone communication between the parties at the transmitting and receiving ends through the local computer network (col. 3 lines 1-6), wherein it is provided with a computer telephony server (10) connected to the local network and to a general telephone network (6), wherein each telephone set is provided with an interface (14 or 20), each telephone set interface being connected directly to the local computer network and being able to convert analog and digital signals, user call signals into addresses of other interface and hang up signals (col. 5 line 21 through col. 7 line 60). Although Frantz does not disclose the local computer network connecting computers, Frantz teaches the telephone network in arrangement to residential and small office environment (col. 1 lines 51-54 and col. 3 line 51-55). Thus, it recognizes that the local computer network is obviously capable of connecting computers. Frantz differs from the claimed invention in not specifically teaching to convert analog signal to and from digital signal adapted to the clock frequency of the local computer network. However, it is notoriously well known in the art of an interface designed as an analog-digital signal converter adapted to the clock frequency of the local network in order to allow the same channels to be used to transmit computer data and to maintain voice communication, for example see Skigin (specification, page 8 lines 5-11). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Frantz in having the interface in converting analog-digital signals adapted to the clock frequency of the local network, as per teaching of Skigin, because it makes the communication process simpler and cutting its costs.

Art Unit: 2643

Regarding claim 2, Frantz teaches computer (13) connected to the telephone network (6) being provided with multimedia software, i.e., application, to allow direct voice telephone communication (col. 3 lines 26-30 and col. 5 lines 1-6).

Regarding claim 3, Frantz discloses the telephone interface to allow exchange of digital data to be effected within the framework of common network protocol (col. 3 lines 3-25). Frantz differs from the claimed invention in not specifically teaching a particular combination of elements including a signal-distributor, a tone dialing recognition device, a recognized number transmission device, a compressor, a voice and tone signal transmission priority device, a voice signal transmitter, and a decompressor in the telephone adapter. However, Skigin discloses the telephone adapter comprising a transmitting and receiving ends, wherein the transmitting ends has a signal detector-distributor with an input connected to a telephone set, a first output of said signal detector-distributor being connected to the input of a tone dialing recognition device having its output connected to the input of a recognized number transmission device, which has its output connected to the local computer network, a second output of the signal detector-distributor being connected to the input of an analog-to-digital converter having its output connected the input of a compressor whose output is connected to a processor unit and the reception channel having a voice and tone signal transmission priority device having its output connected to the telephone set and a first input connected to the output of a call signal dialer, whose input is connected to a call number data converter having its input connected to the local computer network through the network adapter, a second input of the voice and tone signal transmission priority device being connected to the output of a voice signal transmitter, whose input is connected to the output of a decompressor having its input connected to the processor

Art Unit: 2643

unit (specification, page 3 line 30 through page 4 line 22). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Frantz in having the telephone adapter with a structure as taught by Skigin because it provides new opportunities for signal transmission and reception using general-purpose equipment.

Regarding claim 4, Frantz discloses that the processor unit (13) obviously comprising a central processor connected to digital data input-output device, and to a stored program memory and a random access memory to allow exchange of digital data to be effected within the framework of common network protocol (col. 5 lines 18-20 and lines 37-43).

Regarding claim 5, the limitations of the claim are rejected as the same reasons as set forth in claim 1. In addition, Frantz also discloses to maintain telephone communication between remote structure sites with the structure site (22), i.e., a first site, such that the local computer network of each remote site is being provided with a router (3) connected thereto and to a router of the local computer network of at least one other site through communication channel of the computer networks of the remote structure sites (col. 6 lines 3-8).

Regarding claim 6, the limitations of the claim are rejected as the same reasons as set forth in claim 2.

Regarding claim 7, the limitations of the claim are rejected as the same reasons as set forth in claim 3.

Regarding claim 8, the limitations of the claim are rejected as the same reasons as set forth in claim 4.

Regarding claim 9, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Art Unit: 2643

Regarding claim 10, the limitations of the claim are rejected as the same reasons set forth in claim 3.

Regarding claim 11, the limitations of the claim are rejected as the same reasons set forth in claim 4.

Regarding claim 12, the limitations of the claim are rejected as the same reasons set forth in claim 2.

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kikinis (US PAT. 6,339,593) discloses a network telephony interface system between data network and plain old telephone service including computer telephony integration enhancement (abstract). Stovall (US PAT. 6,144,724) discloses a communication interface to data networks comprising each telephone set being provided with an interface (figure 1). Foley (US PAT. 6,069,899) discloses a home area network system comprising a local computer network connecting computers and telephone (abstract and figure 3).

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Art Unit: 2643

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (703) 308-9555. The examiner can normally be reached on Tuesday to Friday from 7 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

A handwritten signature in cursive script that reads "George Eng". The signature is written in black ink and is positioned above the printed name "GEORGE ENG".

GEORGE ENG

November 15, 2002